

# General Conference

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## Fifty-fourth regular session

# Plenary

## Record of the Eleventh Meeting

*Held at Headquarters, Vienna, on Friday, 24 September 2010, at 11.35 p.m.*

**President:** Mr ENKHSAIKHAN (Mongolia)

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### Abbreviations used in this record:

NPT Review Conference	Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
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The composition of delegations attending the session is given in document GC(54)/INF/7.

## – Oral report by the Chairman of the Committee of the Whole

1. Mr GARCÍA REVILLA (Peru), Chairman of the Committee of the Whole, presented the outcome of the Committee's deliberations on agenda items 9, 10, 11, 12, 13, 14, 15, 16, 17 and 21.
2. Under item 9, "The Agency's Accounts for 2009", the Committee recommended that the Conference adopt the draft resolution set out on page i of document GC(54)/3.
3. Under item 10, "The Agency's Budget Update for 2011", the Committee recommended that the Conference approve a Regular Budget figure for 2011 of €331 516 685 and accordingly adopt draft resolution A, Regular Budget Appropriations for 2011, as set out in document GC(54)/2; that it approve a target for voluntary contributions to the Technical Cooperation Fund for 2011 of US \$86 000 000 and accordingly adopt draft resolution B, Technical Cooperation Fund Allocation for 2011, as set out in document GC(54)/2; and that it approve a level for the Working Capital Fund in 2011 of €15 210 000 and accordingly adopt draft resolution C, The Working Capital Fund in 2011, as set out in document GC(54)/2.
4. Under item 11, "Amendment to Article XIV.A of the Statute", the Committee recommended that the Conference adopt the draft decision set out in document GC(54)/18.
5. Under item 12, "Scale of assessment of Members' contributions towards the Regular Budget for 2011", the Committee recommended that the Conference adopt the draft resolution set out on page 3 of document GC(54)/7.
6. Under item 13, "Measures to strengthen international cooperation in nuclear, radiation, transport and waste safety", the Committee recommended that the Conference adopt the draft resolution contained in document GC(54)/L.5.
7. Under item 14, "Nuclear security, including measures to protect against nuclear and radiological terrorism", the Committee had reached broad agreement on most of the draft resolution contained in document GC(54)/COM.5/L.12/Rev.2, but there remained several operative paragraphs on which some delegations had expressed concerns and which had prevented consensus being achieved during the Committee's deliberations.
8. Under item 15, "Strengthening of the Agency's technical cooperation activities", the Committee recommended that the Conference adopt the draft resolution contained in document GC(54)/L.8/Rev.1.
9. Under item 16, "Strengthening the Agency's activities related to nuclear science, technology and applications", the Committee recommended that the Conference adopt the draft resolutions contained in document GC(54)/L.6 and Add. 1, which were divided into three groups: A, Non-power nuclear applications; B, Nuclear power applications; and C, Nuclear knowledge, education and training.
10. Under item 17, "Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol", there was broad agreement on most of the draft resolution contained in document GC(54)/COM.5/L.9/Rev.1, with the exception of two operative paragraphs on which some delegations had expressed concerns and which had prevented consensus being achieved.

11. Under item 21, “Elections to the Agency’s Staff Pension Committee”, the Committee recommended that Ms Yema Flora dos Santos Silva of Angola and Ms Miluska Rosario Cáceres Escalante of Peru be elected as alternate members to represent the General Conference on the Agency’s Staff Pension Committee.

12. He expressed his gratitude and appreciation for the confidence that had been placed in him by electing him to undertake the important task of chairing the Committee of the Whole. He thanked Mr Jan Petersen of Norway and Mr Cornel Feruță of Romania who had served as Vice-Chairmen; Mr Ronald Hutchings of Australia, Mr Luiz Otávio Monteiro Ortigão de Sampaio of Brazil and Mr Jim Casterton of Canada, who had conducted consultations on important agenda items; the members of the Committee, for their cooperative spirit; and the staff of the Secretariat, along with all others who had assisted in the Committee’s work.

**The Agency’s Accounts for 2009** (agenda item 9)

13. As recommended by the Committee of the Whole, the draft resolution set out on page i of document GC(54)/3 was adopted.

**The Agency’s Budget Update for 2011** (agenda item 10)

14. As recommended by the Committee of the Whole, draft resolutions A, B and C set out in document GC(54)/2 were adopted.

**Amendment to Article XIV.A of the Statute** (agenda item 11)

15. As recommended by the Committee of the Whole, the draft decision set out in document GC(54)/18 was adopted.

**Scale of assessment of Members’ contributions towards the Regular Budget for 2011** (agenda item 12)

16. As recommended by the Committee of the Whole, the draft resolution set out on page 3 of document GC(54)/7 was adopted.

**Measures to strengthen international cooperation in nuclear, radiation, transport and waste safety** (agenda item 13)

17. As recommended by the Committee of the Whole, the draft resolution contained in document GC(54)/L.5 was adopted.

**Nuclear security, including measures to protect against nuclear and radiological terrorism** (agenda item 14)

18. The PRESIDENT, recalling that the Committee of the Whole had been unable to reach consensus on the draft resolution set out in document GC(54)/COM.5/L.12/Rev.2 during its deliberations, said he understood that, as a result of subsequent consultations, the Conference was prepared to accept that resolution with two amendments: paragraph (g) of the preamble would be amended to read: “Taking note of the April 2010 Washington Nuclear Security Summit and the Cape Town December 2009 International Conference on effective regulatory systems”, and an additional paragraph (g bis) would be inserted in the preamble, to read: “Taking note of the April 2010 Tehran Conference on disarmament and non-proliferation and other international fora”.

19. With those amendments, the draft resolution contained in document GC(54)/COM.5/L.12/Rev.2 was adopted.

**Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol (agenda item 17)**

20. Mr RECKER (Belgium), speaking on behalf of the European Union, proposed that the General Conference consider the draft resolution contained in document GC(54)/COM.5/L.9/Rev.1, on which broad agreement had been reached during the deliberations of the Committee of the Whole. The compromise text contained in that document had been recommended by the Chairman of the Committee of the Whole as the best basis for achieving consensus. The draft resolution would provide important input to the work of the Agency, and he urged all Member States to support it.

21. Mr KHULLAR (India) said that, as a founder member of the Agency, his country had consistently supported all the Agency's activities conducted within the framework of its Statute. India attached great importance to the Agency's safeguards activities, in particular, and had contributed to improving the effectiveness and efficiency of the safeguards system, including through its active participation in the Advisory Committee on Safeguards and Verification within the framework of the IAEA Statute.

22. His country had hoped that the draft resolution on the important agenda item in question could be adopted by consensus. His delegation had striven hard to that end during the meetings of the Committee of the Whole, and it was regrettable that his country's suggestion to remove a basic inconsistency in operative paragraph 3 of the text had not been followed in the version before the General Conference. Until 2000, there had consistently been consensus on the General Conference's resolutions on safeguards. However, in 2001 that consensus had been broken when a new operative paragraph had been added urging all Member States to bring into force comprehensive safeguards agreements. Regrettably, that paragraph, which was untenable as it overlooked the country-specific and voluntary nature of safeguards agreements, had continued to appear in successive draft resolutions on safeguards. That fact did not, however, give the paragraph in question any credibility. Safeguards undertakings, in whatever form, stemmed from sovereign decisions by States; operative paragraph 3 of the draft resolution was inconsistent with that basic element of the Agency's Statute. India had no option but to declare its objection to operative paragraph 3 of the draft resolution as set out in document GC(54)/COM.5/L.9/Rev.1 and to request a roll-call vote on its deletion.

23. Mr ELAMIN (Sudan), speaking on behalf of the Arab Group, requested a roll-call vote on the adoption of the draft resolution as a whole.

24. The PRESIDENT invited the Conference to vote by roll call on whether to delete operative paragraph 3 of the draft resolution contained in document GC(54)/COM.5/L.9/Rev.1, as requested by India.

25. The Holy See, having been drawn by lot by the President, was called upon to vote first.

26. The result of the vote was as follows:

In favour: India, Pakistan.

Against: Albania, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Belarus, Belgium, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Estonia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Indonesia, Islamic Republic of Iran, Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Republic of Korea, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Mongolia, Montenegro, Morocco, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Peru,

Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Bolivarian Republic of Venezuela, Yemen, Zambia, Zimbabwe.

Abstaining: Israel, Myanmar, Niger.

27. There were 2 votes in favour and 95 against, with 3 abstentions. The paragraph was adopted.

28. Mr PARVEZ (Pakistan), speaking in explanation of vote, said that his country supported all activities of the Agency in every area of its responsibility, in accordance with the provisions of its Statute. Pakistan's support for Agency safeguards was evident from the faithful implementation of all its safeguards obligations and its cooperation with the Agency in that regard. The commitment of Pakistan to Agency safeguards was rooted in its firm belief that the role of safeguards was to facilitate and provide a framework for cooperation in the peaceful uses of nuclear energy, unaffected by and without discrimination based on political or strategic considerations.

29. His delegation had been constrained to vote in favour of deleting operative paragraph 3 of the draft resolution owing to the failure of the sponsors to make the text consistent with the Agency's Statute, which took into account the differentiated nature of the safeguards obligations of Member States. The draft resolution instead called for the universalization of a particular safeguards model, adherence to which was not a legal obligation on all Member States. The Agency's Statute did not prescribe a particular safeguards model as the standard for Agency verification.

30. His delegation's vote reflected Pakistan's commitment to upholding the Agency's Statute in letter and spirit. Pakistan would continue to support the Agency's verification activities in a manner consistent with the framework laid down in the Statute.

31. The PRESIDENT invited the Conference to proceed to a roll-call vote on the draft resolution as a whole, as requested by Sudan.

32. Sri Lanka, having been drawn by lot by the President, was called upon to vote first.

33. The result of the vote was as follows:

In favour: Albania, Angola, Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Indonesia, Islamic Republic of Iran, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Republic of Korea, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, The Former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Bolivarian Republic of Venezuela, Zambia, Zimbabwe.

Abstaining: Algeria, Bahrain, Egypt, India, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Morocco, Myanmar, Nicaragua, Oman, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, Yemen.

34. There were 80 votes in favour and none against, with 20 abstentions.

35. Mr PARVEZ (Pakistan), speaking in explanation of vote, said that Pakistan had been constrained to abstain from voting on the resolution as a whole owing to the failure of the sponsors to make it consistent with the differentiated nature of the safeguards obligations of Member States. It was regrettable that the sponsors had once again failed to demonstrate the flexibility and openness required to produce a resolution that could be adopted by consensus. He urged the sponsors to take steps to address the matter.

36. Mr SOLTANIEH (Islamic Republic of Iran), speaking in explanation of vote, said that his delegation had voted in favour of the resolution because it showed some improvements compared with the resolution on the same subject adopted the previous year. He also wished to demonstrate his country's support for the safeguards regime.

#### **Strengthening of the Agency's technical cooperation activities (agenda item 15)**

37. As recommended by the Committee of the Whole, the draft resolution contained in document GC(54)/L.8/Rev.1 was adopted.

#### **Strengthening the Agency's activities related to nuclear science, technology and applications (agenda item 16)**

38. Mr NAKANE (Japan) said that the Peaceful Uses Initiative had an important role to play in strengthening the Agency's activities related to nuclear science, technology and applications. The Ministry of Foreign Affairs of Japan had requested that US \$3.5 million be allocated to the Peaceful Uses Initiative as part of the budget estimate for the next fiscal year. He called on all Member States to join the Initiative.

39. Mr DAVIES (United States of America) welcomed the support pledged by Japan as a partner in the Peaceful Uses Initiative. The provision of support for Member States wishing to develop nuclear energy for peaceful purposes was a critical component of the Agency's work and an important element of the global nuclear non-proliferation regime. His country hoped to expand the Initiative by \$100 million by the next NPT Review Conference in 2015 and looked forward to working with Japan and other Member States to find additional international sources of funding.

40. As recommended by the Committee of the Whole, the draft resolutions contained in document GC(54)/L.6 and Add. 1 were adopted.

#### **Elections to the Agency's Staff Pension Committee (agenda item 21)**

41. As recommended by the Committee of the Whole, Ms Yema Flora dos Santos Silva of Angola and Ms Miluska Rosario Cáceres Escalante of Peru were elected as alternate members of the Agency's Staff Pension Committee.

## **23. Report on contributions pledged to the Technical Cooperation Fund for 2011**

42. The PRESIDENT said that document GC(54)/15/Rev.4 contained details of the pledges of contributions to the Technical Cooperation Fund for 2011 which Governments had made to the Director General by 7 p.m. on 23 September 2010. By that time, Member States had pledged a total of €8 967 969, or 12.73% of the target for 2011. Since that document had been sent for printing, further Member States had communicated pledges to the Director General, as follows: Angola — €15 765; Algeria — €86 634; China — €2 165 141; Democratic Republic of the Congo — €2113; Lebanon — €15 190; Slovakia — €38 400; Syrian Arab Republic — €16 904. That brought the total amount pledged to €11 308 116, or 16.05% of the 2011 Technical Cooperation Fund target, which was 2.34% higher than the percentage of pledges received by the corresponding time in the preceding year.

43. He urged all delegations which had not yet done so to make their 2011 pledges and to pay their contributions in full at the earliest opportunity so that the Secretariat could submit to the Technical Assistance and Cooperation Committee in November a proposed technical cooperation programme for 2011 based on the level of pledges received, and thereafter implement the approved programme without hindrance or uncertainty.

### **— Closing of the session**

44. The PRESIDENT said that the current session of the General Conference had been well attended by high-level representatives of Member States, including one Vice-President, one Deputy Prime Minister, 27 Ministers, five Ministers of State and two First Ladies. During the general debate, 119 speakers had taken the floor.

45. Ms MACMILLAN (New Zealand) paid tribute to the professionalism, patience and good humour with which the President had conducted the work of the General Conference. There could be no doubt that the decisions reached under his leadership would facilitate the effective work of the Agency.

46. The PRESIDENT expressed his gratitude for the kind words addressed to him on behalf of the Conference. It had been an honour and privilege for him and his country to be elected to serve as President of the General Conference during its 54th session.

47. He thanked all delegates for their cooperation, which had allowed the problems encountered during the conduct of business to be dealt with.

48. On behalf of the Conference, he thanked the Director General and his staff for the valuable support they had provided during the session, the Austrian authorities which had provided the facilities in the Austria Center Vienna, and the city of Vienna for its hospitality during the past week.

49. Finally, in accordance with Rule 48 of the Rules of Procedure of the General Conference, he invited the Conference to observe one minute of silence dedicated to prayer or meditation.

**All present rose and stood in silence for one minute.**

50. The PRESIDENT declared the fifty-fourth regular session of the General Conference closed.

**The meeting rose at 1 a.m.**